

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SIMPLEAIR, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION, ET AL.,

Defendants.

Civil Action No. 2:11-cv-416 (JRG)

SIMPLEAIR, INC.,

Plaintiff,

v.

GOOGLE INC., et al.,

Defendants.

Civil Action No. 2:13-cv-587 (JRG)

Joint Stipulation and Request for Order of Dismissal

Plaintiff SimpleAir, Inc. (“SimpleAir”) and Defendants Google Inc. (“Google”) and Motorola Mobility LLC (“Motorola”) hereby stipulate and agree as follows:

1. SimpleAir’s claims for infringement of U.S. Patent 6,021,433 (the ‘433 Patent) asserted in the above-captioned matters against Google and Motorola will be dismissed with prejudice;
2. SimpleAir’s claims for infringement of U.S. Patent 7,035,914 (the ‘914 Patent) asserted in the above-captioned matters against Motorola will be dismissed with prejudice;
3. Motorola’s counterclaims asserted in the above-captioned matters against SimpleAir will be dismissed without prejudice;

4. This stipulation and the accompanying proposed order of dismissal shall not be admissible for any purpose in the above-captioned matters;

5. The parties reserve their respective rights as to the meaning or effect of the order of dismissal to the extent a dispute on the subject later arises; and

6. Each party will bear its own attorney's fees and costs incurred in connection with this action with respect to the claims and counterclaims being dismissed.

The parties respectfully request that the Court enter the accompanying proposed Order of Dismissal that reflects this agreement.

Dated: January 10, 2014

Respectfully submitted,

By: /s/ Jeff Eichmann
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Certificate of Service

I hereby certify that on January 10, 2014, a copy of the foregoing was electronically filed via CM/ECF, which will send a Notice of Electronic Filing to and constitute proof of service on all counsel who are deemed to have consented to electronic service per Local Rule CV-5(a)(3)

/s/ Jeff Eichmann
Jeff Eichmann